

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION**

UNITED STATES

VS.

GARY MARCUS SMITH

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NO: 4:06CR00183 SWW

**ORDER**

On November 27, 2006, the Court received documents from Brian and Angie Ply, including a copy of a notice of the preliminary order of forfeiture entered in this case and a contract assignment to Brian Ply for the sale of real property--Lot 15, Love Creek Subdivision, Jefferson County, Arkansas--which is also listed in the preliminary order of forfeiture.

Brain and Angie Ply are advised that if they wish to claim an interest in the aforementioned real property, they must file a petition, pursuant to 21 U.S.C. § 853(n), to adjudicate the validity of an asserted interest in property. The petition must be signed by the petitioner under penalty of perjury and must set forth the nature and extent of the petitioner's right, title, or interest in specified property, the time and circumstances of the petitioner's acquisition of the right, title, or interest in the property, any additional facts supporting the petitioner's claim, and the relief sought.

IT IS THEREFORE ORDERED that Brian and Angie Ply have up to and including 15 (fifteen) days from the entry date of this order in which to file a petition for a hearing to adjudicate the validity of any claimed interest in property listed in the preliminary order of

forfeiture.

The Clerk of the Court is directed to mail a copy of this order by (1) regular mail and (2) certified mail, return receipt requested, to Brian and Angie Ply, P.O. Box 383, 722 Kady Road, Redfield, AR 72132.

IT IS SO ORDERED THIS 1<sup>ST</sup> DAY OF DECEMBER, 2006.

/s/Susan Webber Wright  
UNITED STATES DISTRICT JUDGE